

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ANTONI M. RONKIEWICZ,

Plaintiff,

v.

Case No. 06-C-0724

COMMISSIONER OF SOCIAL SECURITY,  
SECRETARY OF HEALTH & HUMAN SERVICES,

Defendants.

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**ORDER SETTING BRIEFING SCHEDULE**

In this lawsuit, the plaintiff appeals from a decision by the Social Security Administration denying an application for certain benefits. Now, therefore,

**IT IS ORDERED** as follows:

1. By **November 6, 2006**, the defendant shall serve on the plaintiff (but shall not file with the Clerk of Court) a copy of its proposed Notice of Filing and Preservation of Rights and a copy of the transcript of administrative proceedings. This step will afford the parties an opportunity to consider and pursue resolution of the plaintiff's appeal without the need for a court decision on the merits.

2. By **December 6, 2006**, the plaintiff shall file a brief with the Clerk of Court and send a copy to defendant's counsel. This brief shall include:

a. **Statement of the Case.** The plaintiff should describe briefly the outcome of the administrative proceedings. The plaintiff should then present a brief statement of the relevant facts, including a brief summary of the plaintiff's physical and mental impairments which allegedly prevent the plaintiff from working.

- b. **Statement of Errors.** This statement shall identify any and all errors allegedly committed at the administrative level which entitle the plaintiff to relief.
  - c. **Statement of Relief.** This statement shall set forth the relief sought.
3. By **January 8, 2007**, the defendant shall file and serve on the plaintiff its Notice of Filing and Preservation of Rights, and a brief which responds to each error raised by the plaintiff. In addition, the brief should raise relevant matters not put at issue by the plaintiff and include whatever supplemental materials the defendant deems appropriate to support such other matters. The defendant need not include a "statement of the case" unless the plaintiff's statement is inaccurate or incomplete.

At the same time the brief is filed, the defendant shall file with the Clerk of Court a certified copy of the transcript of administrative proceedings, together with a notice to the plaintiff of filing the transcript.

4. By **January 24, 2007**, the plaintiff may file with the Clerk of Court and send a copy to the defendant's counsel, a brief responding to the defendant's brief.
5. The initial briefs of the plaintiff and defendant shall not exceed 15 double-spaced pages each, and the reply brief of the plaintiff shall not exceed 5 double-spaced pages, unless the court grants an exception for good cause shown.
6. The parties should notify the court promptly if either chooses not to submit a reply brief or supplemental supporting materials.

Dated at Milwaukee, Wisconsin, this 6th day of September, 2006.

BY THE COURT:

s/C. N. Clevert, Jr.  
C. N. CLEVERT, JR.  
U. S. District Judge